

### **REMARKS/ARGUMENTS**

I would like to thank Examiner Bashore for the courtesies that were extended to me during our telephone interview in June 2007, concerning this patent application. During the course of the interview we discussed the last sentence in the response to arguments portion in the last Office Action that was issued for this patent application. In particular, we discussed whether this last sentence was an inaccurate statement concerning the content of the claims pending in the application. As a result of our discussion, you indicated that you would modify the language in this sentence to more accurately reflect what is covered by the claims.

We also discussed during the interview ways to further define that the fluid only comes into contact with the small diameter tube as the fluid passes from the container to the applicator tip. We discussed creating a positive limitation in claim 118 that precludes the introduction of any intermediate structure between the container and applicator tip, other than the small diameter tube, that can come into contact with fluid.

In the Office Action claims 118-119 were finally rejected under 35 USC § 103 (a) as being unpatentable over the Johnson reference in view of the LoPresti et al. reference and the Oliphant reference.

The Applicant's amended claims define a method for applying a fluid to an object wherein a small diameter tube extends from a container for holding the fluid directly to the application surface of an applicator tip. The fluid only comes into contact with a small diameter tube as the fluid is supplied from the container to the applicator tip whereby the fluid is supplied from the container directly to the applicator surface. A pump that engages the exterior surface of the small diameter tube is used to pump the fluid from the container to the applicator surface. The fluid only contacts the container, the small diameter tube, the

applicator surface of the applicator tip and the object. The pump engages and constricts the small diameter tube when the fluid is not being pumped whereby the pump acts to restrict the flow of fluid in the small diameter tube.

The Johnson reference discloses an apparatus for the automated application of coatings to a substrate. The coating is delivered from a reservoir through a pump and through an applicator device. A tube extends from the reservoir through the pump into the applicator. However, the tube does not extend into the reservoir for the fluid and there is no disclosure or suggestion that the tube can be removed from the reservoir as set forth in Applicant's claims. In addition, the tube is not in contact with the application surface of the applicator tip whereby fluid is supplied from the container directly to the applicator surface as defined in Applicant's claims. In the Johnson reference the tube is attached to the end of the applicator that is spaced apart from the application surface and the tube is not in contact with the application surface of the applicator tip. Accordingly, the Johnson reference does not disclose or suggest the invention defined by Applicant's amended claims.

The LoPresti et al. reference is directed to a disposable paint container liner that is used with a paint spray gun. The LoPresti reference is cited by the Examiner as showing a small diameter tube that extends into a container. The LoPresti reference does show a tube 38 that extends into a container but the tube is connected to an opening 37 in the lid for the paint cup. The tube does not extend from the container to the application surface of an applicator tip as set forth in Applicant's amended claims. In addition, the LoPresti reference does not disclose a small diameter tube whereby the fluid only contacts the container, the small diameter tube, the applicator surface and the object as defined in the Applicant's amended claims. Therefore, the LoPresti et al. reference does not provide the deficiencies of the previously discussed Johnson reference.

The Oliphant reference has been cited by the Examiner as disclosing conduits for applying a fluid having the specific diameter range set forth in the claims. However, the Oliphant reference does not provide the deficiencies of the previously discussed Johnson and LoPresti et al. references. The Johnson, LoPresti and Oliphant references, taken individually or in combination, do not disclose or suggest the invention defined by Applicant's amended claims. Accordingly, the Examiner is respectfully requested to withdraw this basis of rejections for the claims.

Claim 120 was rejected under 35 USC § 103 (a) as being unpatentable over the Johnson, LoPresti et al. and Oliphant references as previously applied and further in view of the Figini et al. reference.

The teachings of the Johnson, LoPresti et al. and Oliphant references have already been discussed in this amendment.

The Figini et al. reference discloses a process for dispensing a sealing or adhesive product. The Figini et al. reference discloses the use of a peristaltic pump to move the adhesive product through the applicator device. However, the Figini et al. reference does not disclose or suggest a small diameter tube that extends from a container to the application surface of an applicator tip whereby the fluid is supplied from the container through the small diameter tube directly to the applicator surface as defined in Applicant's amended claims. Accordingly, the Figini et al. reference fails to provide the deficiencies of the previously discussed Johnson and LoPresti et al. and Oliphant references. The Johnson, LoPresti et al., Oliphant and Figini et al. references, taken individually or in combination, do not disclose or suggest the invention defined by Applicant's amended claims. Accordingly, the Examiner is respectfully requested to withdraw this basis of rejection for the claims.

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In view of the amendments to the claims and the comments presented herein it is respectfully submitted that the amended claims patentably distinguish over the prior art relied upon by the Examiner in the final rejection. Accordingly, a favorable action on the claims is respectfully requested.

Respectfully submitted,  
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